

E-FILED - 8/10/12

Case Nos. C-12-03908-DLJ
CR-10-00319-DLJ

ORDER

On June 28, 2011 Defendant Jaime Aguirre-Olivas (Aguirre-Olivas) was sentenced to 42 months in prison for a violation of 8 U.S.C. § 1326, Illegal Re-entry. On July 16, 2012, Aguirre-Olivas filed a Motion under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct his sentence.

16 The Motion claim ineffective assistance of counsel alleging
17 that at the sentencing counsel for defendant failed to correctly
18 address defendant's prior convictions. Aguirre-Olivas also
19 contends that counsel was ineffective in that he claims counsel
20 caused him to waive his right to appeal.

22 The Court hereby Orders that the government respond to this
23 Motion on or before September 10, 2012.

25 || IT IS SO ORDERED

27 Dated: August 9, 2012

D. Lowell Jensen
United States District Judge

United States District Court
For the Northern District of California

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2 Copy of Order Mailed on 8/10/12 to:
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4 **Jaime Aguirre-Olivas**
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9 *Pro Se Party*

10 E-Filed to Government Counsel
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